

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,) 2:18-CR-169-JCM-(NJK))
Plaintiff,	
v.	Preliminary Order of Forfeiture
ROBERT D. HARVEY,	
Defendant.	}

This Court finds that defendant Robert D. Harvey pled guilty to Counts One through Four of a Twenty-One-Count Criminal Indictment charging him in Count One with Conspiracy to Distribute a Controlled Substance in violation of Title 21, United States Code, Sections 841(a)(1) and 846 and in Counts Two through Four with Distribution of a Controlled Substance in violation of Title 21, United States Code, Section 841(a)(1). Criminal Indictment, ECF No. 1; Change of Plea, ECF No. 56; Plea Agreement, ECF No. 59.

The in personam criminal forfeiture money judgment is (1) any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of violations of Title 21, United States Code, Sections 841(a)(1) and 846; (2) any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of violations of Title 21, United States Code, Sections 841(a)(1) and 846; (3) all moneys, negotiable instruments, securities, or other things of value furnished or intended to be furnished in exchange for a controlled substance or listed chemical in violations of Title 21, United States Code, Sections 841(a)(1) and 846, all proceeds traceable to such an exchange, and all moneys, negotiable instruments, and securities

used or intended to be used to facilitate any violation of Title 21, United States Code, Sections 1 2 3 4 5 7 8 9

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841(a)(1) and 846; and (4) any property, real or personal, which constitutes or is derived from proceeds traceable to violations of Title 21, United States Code, Section 841(a)(1), a specified unlawful activity as defined in Title 18, United States Code, Sections 1956(c)(7)(A) and 1961(1)(D), or Title 21, United States Code, Section 846, conspiracy to commit such offense, and is subject to forfeiture pursuant to Title 21, United States Code, Section 853(a)(1) and 853(a)(2); Title 21, United States Code, Section 881(a)(6) with Title 28, United States Code, Section 2461(c); Title 18, United States Code, Section 981(a)(1)(C) with Title 28, United States Code, Section 2461(c); and Title 21, United States Code, Section 853(p).

This Court finds that Robert D. Harvey shall pay an in personam criminal forfeiture money judgment in an amount to be determined pursuant to Fed. R. Crim. P. 32.2(b)(2)(C) and (e) to the United States of America, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2); Title 21, United States Code, Section 853(a)(1) and 853(a)(2); Title 21, United States Code, Section 881(a)(6) with Title 28, United States Code, Section 2461(c); Title 18, United States Code, Section 981(a)(1)(C) with Title 28, United States Code, Section 2461(c); and Title 21, United States Code, Section 853(p).

This Court finds that the United States of America may amend this order at any time to add subsequently located property or substitute property to the forfeiture order pursuant to Fed. R. Crim. P. 32.2(b)(2)(C) and 32.2(e).

The in personam criminal forfeiture money judgment complies with *Honeycutt v. United* States, U.S. ___, 137 S. Ct. 1626 (2017).

THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the United States recover from Robert D. Harvey an in personam criminal forfeiture money judgment of in an amount to be determined pursuant to Fed. R. Crim. P. 32.2(b)(2)(C) and (e).

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IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send copies of this Order to all counsel of record and three certified copies to the United States Attorney's Office, Attention Asset Forfeiture Unit.

DATED this Leday of Of , 2018.

UNITED STATES DISTRICT JUDGE